COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

FORCE INCIDENT EVALUATION

UNIT: CENTURY STATION
DATE: 04-09-99
TIME: 1915 HOURS
LOCATION: [redacted] Parmelee Avenue, Los Angeles, California 90001

URN#: 499-06916-2176-181
IAB#: FO 1250614

NATURE OF INCIDENT: Alleged use of unreasonable force by Deputies Arthur Escamillas, #[redacted], and David Baca, #[redacted], assigned to uniformed patrol at Century Station. Suspect James Newsome, MB/44, alleges that Deputies Escamillas and Baca fractured his left ankle while taking him into custody for possession of a controlled substance. Suspect Newsome said he offered no resistance while being arrested and feels there was no justification for Deputies Escamillas and Baca to use force on him.

COMPLETED BY: Sergeant Thomas T. Campbell
Internal Affairs Bureau

DATE: June 23, 1999

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN:	499-06916-2176-181	Date:	April 9, 1999	Time:	1915 hours
Location:	[redacted] Parmalee Avenue				
City or Station:	Los Angeles, CA 90001				
Bureau/Station/Facility:	Century Station	Admin. Investigation:	YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	43	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	([redacted]) [redacted]

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	32	[redacted]

Street Address	City	Zip Code	Work Ph.	Home Ph.
[redacted]	[redacted]	[redacted]	[redacted]	([redacted]) [redacted]

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	DERY	CHARLES	J.	SGT	YES ☐ NO ☒	YES ☐ NO ☒
[redacted]	NELL	DAVID		SGT	YES ☐ NO ☒	YES ☐ NO ☒

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	HALLOWELL	BENNY	C.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	GONZALES	JOE	A.

Watch Commander's Signature: ______________________ Emp #: __________

Copy Provided to Employee by: ______________________ Emp #: __________

Supervisor Completing Form: ______________________ Emp #: __________
(Print)

Unit Commanders Signature: ______________________ Emp #: __________ Date Signed: __________

PSTD Use Only
FO#

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 499-06916-2176-181

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
E-1	S-1	TD	FR	AK
E-2	S-1	TD OC	FR	AK
S-1	E-1	RS	NN	
S-1	E-2	RS	NN	

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 499-06916-2176-181

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	ESCAMILLAS	ARTHUR	

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	H	Century Station	216A

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	5' 08"	175

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case #	
☐			Directed Force ☐ Significant Force ☐

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	BACA	DAVID	L.

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☒ Male ☐ Female	H	Century Station	216A

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	6' 05"	215

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	
☐			Directed Force ☐ Significant Force ☐

E_

Employee #	Last Name	First Name	Middle Name

Sex:	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
☐ Male ☐ Female			

Shift:		Age:	Height:	Weight:
☐ EM ☐ Day ☐ PM	☐ Regular Shift ☐ OT Shift ☐ Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital:	Coroner Case#	
☐			Directed Force ☐ Significant Force ☐

See Other Side

Supe :sor's Report on Use of F rce
SUSPECT INFORMATION

URN: 499-06916-2176-181

Suspect Information

S1

Last Name: NEWSOME		First Name: JAMES		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☒ Male ☐ Female	Race: B	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: [redacted]	Home Phone: [redacted]	Age: 44	Height: 5' 11"	D.O.B. 12-20-54	Weight: 200	Armed? ☐
Booking #: 6018716	Primary Charge: 11350 H&S		Secondary Charge: 148 PC		Criminal History [redacted]	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☒ NO	Substance:		Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date: April 9, 1999	Time: 2130 hours	Audiotape: ☒	Videotape: ☐

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO	Substance:		Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO	Substance:		Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

See Other Side

INVESTIGATIVE SUMMARY

IAB CASE NUMBER FO 1250614

On Friday, April 9, 1999, Sergeants Thomas T. Campbell and Clay Porlier, along with Lieutenant Ron Tardiff of the Internal Affairs Bureau, responded to Century Station regarding a force incident wherein a suspect by the name of James Newsome, MB/44, sustained a fractured ankle while being taken into custody for possession of a controlled substance (cocaine) by Deputies Arthur Escamillas, #[redacted], and David Baca, #[redacted], assigned to uniformed patrol in Unit 216A PM's.

The summary of this incident is based on information obtained from reports, memoranda, and other documents regarding Century Station File #499-06916-2176-181, interviews of Deputies Escamillas and Baca, Suspect Newsome, and other witnesses by Internal Affairs Bureau Sergeants Thomas T. Campbell, Clay Porlier, and Lieutenant Ron Tardiff, as well as recording and mobile digital data provided by Century Station personnel and the Sheriff's Communication Center (SCC).

INVOLVED DEPUTY INFORMATION

Deputy Arthur Escamillas, MH Age: [redacted] Height: 5' 08" Weight: 175

Department Background: Deputy Escamillas is a 11 year department veteran who has worked at Century Station since July 1, 1993. On the date this incident occurred, he was assigned as Deputy Baca's training officer. [redacted]

Deputy David Baca, MH Age: [redacted] Height: 6' 05" Weight 175

Department Background: Deputy Baca is a 7 year department veteran who was assigned to Norwalk Station on March 21, 1999, but was temporarily working patrol at Century Station when this incident occurred. [redacted]

SUSPECT INFORMATION

James Newsome, MB   Age: 44   Height: 5' 11"   Weight: 200

Suspect Newsome has [redacted] **(refer to Exhibit A for further details)** [redacted] He has been arrested and convicted for [redacted] At the time of his arrest, [redacted]

WITNESS INFORMATION

[redacted], FH/44	Civilian Witness
[redacted], MH/32	Civilian Witness

INVOLVED DEPUTY STATEMENTS

Deputies Escamillas and Baca said that while driving northbound in the 9300 block of Parmelee Ave., they saw a male black (later identified and hereafter referred to as Suspect James Newsome) riding a bicycle toward them on the wrong side of the street in an erratic fashion. Due to their observations, Deputies Escamillas and Baca said they decided to stop Suspect Newsome, and depending on what they discovered, either warn or cite him for riding his bicycle on the wrong side of the street. They said Newsome told them that his last name was Newson and that he didn't have any identification on his person. Deputy Escamillas said it took Newsome three tries before he could spell Newson correctly, which raised his suspicions that he wasn't giving them his correct name. Due to that fact, Deputy Escamillas said he decided to detain Suspect Newsome until he could run a record check on him to ascertain his correct name in order to issue him a citation. He said he ordered Deputy Baca, his trainee, to conduct a pat down search of Newsome's person prior to seating him in the back seat of their radio car while they conducted a records check on him via their MDT.

Deputy Baca said during his pat down search of Suspect Newsome, Newsome became very nervous when he reached his lower left leg area. He said this nervousness on Newsome's part alerted him to the possibility that Newsome had secreted something in his left sock. He said he lifted Newsome's left pant leg and saw a small bulge in the top portion of his left sock. He said he reached down and felt a small hard rock-like object in the front top portion of Newsome's left sock. He said, believing that object might be rock cocaine or some other illegal form of narcotics, he removed it from Newsome's sock. Deputy Baca said the object taken from Newsome's sock was a small off-white-rock like substance resembling "rock cocaine." He said he gave the substance to Deputy Escamillas and then

placed Newsome in the back seat of their radio car pending further investigation into the possibility that he might be in possession of a controlled substance (cocaine). Deputies Escamillas and Baca said a record check on Newsome indicated that he had given them a false name (Newson) and that his true name was James Newsome. They said they confronted Newsome with that information and he admitted to them that his true name was, in fact, James Newsome and not Newson as previously stated.

Deputy Escamillas said after examining the white rock-like substance found on Suspect Newsome's person, he believed it to be rock cocaine and informed his partner and trainee, Deputy Baca, that they were going to arrest Suspect Newsome for possession of a controlled substance, 11350 (a) H&S. Deputy Escamillas stated that due to the fact that Suspect Newsome was seated in the back seat of their radio car unhandcuffed, he walked over to the radio car, opened the back door and instructed Suspect Newsome to turn sideways and place his hands behind his back so that he could handcuff him because they were going to place him under arrest.

Deputies Escamillas and Baca said when Newsome heard that they wanted to place him under arrest and handcuff him, he started yelling and screaming that he didn't want to go to jail and refused to place his hands behind his back. They said he told them that he was claustrophobic and couldn't be in confined places like the back seat of a radio car or a jail cell. Deputies Escamillas and Baca said they told Suspect Newsome several times to stop yelling and screaming and to comply with their instructions and place his hands behind his back. They said Newsome refused to follow their instructions and began directing profanities at them. They said after two or three minutes of this type of behavior, Newsome tried to get out of the radio car and run away. They said he was able to get partially out of the back seat before they were able to grab him and guide him face down to the ground on his stomach.

Deputies Escamillas and Baca said Suspect Newsome continued to yell and scream at them as they placed him on the ground. They said even after they had him face down on the ground, he refused to cooperate with them and started waiving his arms around and moving his legs about wildly. Deputy Baca said he grabbed Suspect Newsome's arms and forced them behind his back at that point in an attempt to handcuff him. Unfortunately, Suspect Newsome was able to break free from Deputy Baca's grasp and place his arms and hands underneath his body in a crossing fashion, which made it almost impossible for Deputy Baca to gain control and handcuff him by himself. Deputy Escamillas said he was finally forced to assist Deputy Baca by grabbing Newsome's right arm and forcing it behind his back, which enabled Deputy Baca to gain control of Newsome's left arm. Both deputies said they were still not able to gain complete control of Suspect Newsome at that point due to his resistance, so Deputy Escamillas instructed Deputy Baca to let go of Newsome's left arm and pepper spray him with his OC spray.

Deputy Baca said he then sprayed Suspect Newsome once in the face with a 1 to 2 second burst of his OC spray. He said that enabled him to gain control of Newsome's left arm again and force it behind his back. He said Deputy Escamillas then forced Newsome's right arm behind his back and they were finally able to handcuff him without further incident. They said after Newsome was handcuffed, they picked him up and placed him in the back seat of their radio car. They said when they picked Newsome up off the ground, he started yelling that they had broken his left ankle. They said as soon as they placed Newsome in the back seat of their radio car, he laid on his back and started thrashing his body around and hitting his head on the plastic seats. They said after a few moments, Newsome started kicking at the interior of the radio car and the door windows. Deputy Escamillas said he repeatedly told Newsome to stop kicking at the door windows and to behave himself or he would pepper spray him again.. He said when Newsome refused to comply with his instructions and continued to kick at the windows, he (Escamillas) opened the back door of the radio car and gave him an additional 1 to 2 second burst of pepper spray in the face. Deputies Escamillas and Baca said after being pepper sprayed a second time with OC spray, Newsome quit yelling and screaming and kicking at the door windows, but still continued to insist that they had broken his left ankle when they forcibly placed the handcuffs on him .

Due to the fact that Suspect Newsome complained that his left ankle was broken, Deputies Escamillas and Baca said they contacted their field sergeant, Sergeant Nell, and asked him to respond to their location so they could inform him of the arrest and the force used to accomplish it. Deputies Escamillas and Baca said after they briefed Sergeant Nell regarding the arrest and Sergeant Nell had a chance to talk to Newsome, they transported him to St. Francis Hospital where he was examined and treated by Physician's Assistant Alex Balderrama in the emergency room. Deputies Escamillas said P.A. Balderrama told them that Newsome did in fact have a fractured left ankle and that his left thumb and right wrist had swollen soft tissue **(refer to Exhibits B thru E for further details)**. They said Sergeant Nell also located and talked to several possible witnesses to the incident while they were at St. Francis Hospital.

> **IAB NOTE:** Sergeant Nell was able to locate two individuals that witnessed all or part of what transpired when Deputies Escamillas and Baca arrested Suspect Newsome. Those two individuals were identified as [redacted] and [redacted] whose statements are included in this investigative summary.

Deputies Escamillas and Baca said at no time during their struggle with Suspect Newsome did they step on, stomp, kick, or strike his left ankle with a impact weapon. Deputy Escamillas said he had to place his right knee between Newsome's shoulder blades when handcuffing him in order to control him. Deputy Baca said when Newsome got out of the back seat of the radio car and tried to run, he grabbed him by both arms and jerked him real

hard to the left, bringing him to the ground. He said when he did that Newsome screamed out, "Oh, my leg! My leg!" Deputy Baca said it is possible that Newsome injured his ankle at that point, but is not sure. Both he and Deputy Escamillas said it obviously wasn't hurt bad enough to keep him from trying to kick the windows out of their radio car. Both deputies said they have no idea how Suspect Newsome fractured his left ankle.

SUSPECT STATEMENTS

Suspect Newsome said he was riding his bicycle eastbound on 93rd St. just west of Zamora Ave., on the south side of the street, when he saw a Sheriff's patrol unit driving northbound on Zamora Ave. He said as he approached the intersection of Zamora Ave. and 93rd St., the patrol unit almost ran into him as it drove past. Suspect Newsome said this happened at about 1800 hours in the afternoon and that the sun was still out and very bright. He said the deputy who was driving the patrol car had to have seen him and had no excuse for almost running him down. He said after the radio car almost ran him down, it continued northbound on Zamora Ave., and he continued to proceed eastbound on 93rd St. until he came to Parceled Ave., where he made a right turn and went south on the east side of the street.. He said a few seconds later the patrol unit came up behind him and cut him off.

Suspect Newsome said as soon as the deputies cut him off, they exited their vehicle and told him to place his hands on the hood of the radio car. He said he repeatedly asked the deputies why they had stopped him and what the problem was, but they refused to answer him or say anything. He said Deputy Escamillas then searched him and had him take everything out of his pockets and place those items on the hood of the radio car. He said the deputies didn't find anything illegal on him, but placed him in the back seat of the radio car anyway without handcuffing him. He said as he was placed in the back seat of the radio car, Deputy Escamillas told him he wasn't under arrest and was only being detained for a short time. He said Deputies Escamillas and Baca then walked to the back of the radio car, raised the trunk lid, and began discussing something he couldn't hear. He said their discussion lasted for approximately 10 to 15 minutes. He said as he watched the deputies, he noticed that one of them was holding a clear plastic with a white substance in it. He said the clear plastic baggie with the substance inside it seemed to be to focal point of their conversation.

Suspect Newsome said Escamillas and Baca finally walked to the front of the radio car and continued to discuss something. He said while they were talking, they kept looking at him. He said it made him very nervous. He said at that point Deputy Escamillas walked back, opened the car door, and told him to place his hands behind his back He said when he asked Escamillas why he was going to handcuff him, Escamillas stated, "Nigger, you know why," grabbed him, pulled him out of the radio car, and threw him face first into the ground. He said he was able to get to his knees before Escamillas and Baca grabbed him and put one

handcuff on his left wrist. He said Baca then intentionally stomped on his left ankle, breaking it. He said he could actually hear his ankle break when Baca stomped on it. Suspect Newsome said after Baca broke his ankle, he fell forward and landed face first on the ground. Suspect Newsome said at that point, he told both deputies that they had broken his left ankle and asked them why they were treating him the way the were. He said neither deputy ever answered his questions or gave him an explanation for their actions.

Suspect Newsome said while he was lying face down on the ground, Escamillas told Baca to pepper spray him. He said Baca then pepper sprayed him in the face despite the fact that he (Newsome) wasn't resisting arrest in any way. He said after Baca pepper sprayed him in the face, Escamillas walked around behind him, kneeled down, placed his knee in his back, and hit him twice with something across the back of his neck and upper shoulders. He said Escamillas then grabbed his right hand and wrist, forced it back behind his back, and completed handcuffing him. He said Escamillas then picked him up, and in spite of the fact that his left ankle was broken, threw him back into the back seat of the radio car. He said he couldn't see what Escamillas hit him with when he was lying on the ground, but thinks it was just his hands because when Escamillas picked him up off the ground, he didn't have anything in his hands.

Suspect Newsome said once he was seated in the back seat of the radio car, he started arguing with Deputy Escamillas. He said when he told Escamillas that he and Deputy Baca had broken his left ankle, Escamillas said, "I didn't break shit!" He said Escamillas then told him to shut up and be quiet. He said when he continued to yell at Escamillas and Baca that they had broken his ankle, Escamillas opened the back door of the radio car and pepper sprayed him in the face again. He said Deputy Escamillas had a really bad attitude and wouldn't listen to him at all. He said he thought that Deputies Escamillas and Baca might have dislocated his right thumb and middle finger when they handcuffed him. He said the force they used on him was absolutely unnecessary and unwarranted. He said he did not have any illegal drugs or contraband in his possession at the time of his arrest and if Deputies Escamillas and Baca said that he did, they are lying. He said if they found any "dope" they planted it themselves. He said he also did not try to kick out the back windows of the radio car when he was seated in the back seat. He said that was another one of Deputies Escamillas' and Baca's lies. He said after he was arrested, he was taken to the hospital to have his left ankle looked at by a doctor.

WITNESS STATEMENTS

[redacted] said she first noticed Deputies Escamillas, Baca and Suspect Newsome when she drove into her driveway and parked her car. She said Deputies Escamillas and Baca were standing by their radio car examining something that one of them had in their hand. She said Suspect Newsome was in seated in the back seat of the radio car and there was a

bicycle lying on the ground near the radio car. She said she guessed that the object that Deputies Escamillas and Baca was looking at was probably some kind of illegal contraband, like narcotics or some other form of illegal drugs. She said she didn't stop to see what was going on and went into the house. She said several minutes later as she was talking to a friend on the telephone, she heard someone screaming and yelling in the street in front of her house. She said she laid the telephone down, walked over to the front window, looked outside, and saw Deputies Escamillas and Baca trying to handcuff Suspect Newsome who was rolling around on the ground yelling and screaming. She said Suspect Newsome would not let the deputies handcuff him and kept his hands under his body as he laid face down on the ground. She said she heard the deputies tell Suspect Newsome several times to calm down and quit resisting so they could handcuff him. She said Suspect Newsome wouldn't listen to the deputies or cooperate with them and continued to keep his hands under his body so the deputies could not handcuff him. She said Suspect Newsome was really giving the deputies a hard time.

Witness [redacted] said she did not see the deputies stomp on Newsome's legs or ankles at any time while trying to handcuff him.. She said she did not see the deputies hit, kick, punch, or use any kind of force on Suspect Newsome other than trying to force his hands behind his back so they could place the handcuffs on him. She said it really wasn't much of a fight or a struggle, so she went back into the kitchen to finish her telephone conversation with her friend.. She said several minutes later, she looked out the front window again and saw Suspect Newsome seated in the back seat of Deputies Escamillas' and Baca's radio car. She said he was still yelling and screaming, but now he was trying to kick the window out of one of the back doors of the radio car. She said Newsome was acting like a complete idiot.

[redacted] said he when this incident occurred, he was standing on his front porch, which is located at [redacted] Parmelee Ave. He said he saw two deputies talking to a male black who was straddling a bicycle in the street in front of his house. He said he didn't think much of the situation and walked back into his house. He said he did not see or hear anything after he went back inside his house. He said he was not aware that the deputies got in a fight with the male black or that the male black was later arrested.

ADDITIONAL INFORMATION

Physician's assistant Balderrama said he treated Suspect Newsome when he was brought into the hospital. He said Newsom sustained superficial abrasions and swelling to his left fibula, lateral aspect (fractured left ankle), soft tissue swelling to his right wrist, and tenderness to his right thumb. He said Newsome sustained the fracture to the outside lower left portion of his left ankle. He said the fracture appeared fresh in nature and could have been caused by pressure to the outside of the ankle or blunt force trauma. P.A. Balderrama said Newsome could have sustained the injury in any number of ways, including having his

ankle being stepped on, being hit with a solid object such as a impact weapon (baton), or kicking something hard with his left foot. P.A. Balderrama said Newsome told him that one of the deputies stomped on his ankle when he was arrested.